

OKLAHOMA ABSTRACTORS BOARD
MINUTES OF REGULAR MEETING
September 21, 2021

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairperson Randy Coffman at 10:00 a.m., at the OLERS Conference Room, 421 NW 13th Street, Suite 100, Oklahoma City, Oklahoma.
2. Scott Ward called the roll. Attending were: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward.
3. The Minutes of the Regular Meeting of the OAB, conducted on August 17, 2021, were reviewed. A motion was made by Mr. Thomas to approve the minutes as presented. The motion was seconded by Mr. Ward. Motion carried.
Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.
4. **Chairperson's Report-Randy Coffman:** Mr. Coffman reported that he was glad to be back after missing the last meeting.
5. **Administrator's Report (Board Report):** Ms. Smith reported that she had been performing inspections primarily. She also reported that the Board had been assigned a new cabinet secretary, Susan Winchester who had not only met with our agency, but had held a leadership summit for agency leaders under her purview.
6. **Committee Reports.**
 - a.) **Budget and Finance – J Thomas:** Mr. Thomas gave an update on the budget reporting that the annual budget is \$280,955.00 with encumbrances of \$78,978.55 which gives us a total Year-To-Date Encumbrances and Expenses of \$81,703.01 and a variance of \$149,161.99. The revenue for the month of August was \$13,455.00 and expenses were \$17,497.61 which leaves us with an ending cash balance of \$804,639.52. After review and discussion, a motion was made by Mr. Thomas to approve the report as presented. Second by Ms. Ringo. Motion carried.
Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.
 - b.) **Rules and Regulations – Randy Coffman:** Mr. Coffman had no report.
 - c.) **Licensing and Testing-Ken McDowell:** Mr. McDowell reported that since the last meeting, 13 people had taken the test and 13 had passed. The next test will be on the October 20th at the OLTA Basic Abstractors School.
 - d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been eleven inspections since the last board meeting. Eight of the eleven had no issues. Two companies had some issues with delayed orders and one had a misspelling on a

divorce proceeding. One company also had a delayed order that was part of a wind farm project but the Enforcement Committee did not assess a penalty. The recommendations from the Enforcement Committee are noted in the packet. Ms. Smith asked for a motion to approve the inspection reports as presented and acceptance of the recommendations from the Enforcement Committee. A motion was made by Ms. Ringo to approve the inspection reports as presented and accept the recommendations of the Enforcement Committee. Second by Mr. Ward. Motion carried.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

In addition, some consent orders were received back related to previous inspection findings and Ms. Smith asked for the Board's acceptance of those consent orders which would authorize Mr. Coffman to sign off on them and close the matter. A motion was made by Mr. Lower to approve and receive the consent orders and close the matter. Second by Mr. Koller. Motion carried.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

e.) Enforcement Committee Reports-Scott Ward:

Applications for Licenses: Presented to the Board for approval was a list of applicants for abstract licenses or renewals, which are set out in the attachments hereto. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve all of the licenses presented, subject to administrative review and to make sure all compliance issues were met, and appropriate fees paid. Second by Ms. Ringo. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Renewal of Certificate of Authority (With NO Fee Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority with their rate sheet by Buffalo Land Abstract Company (Osage), Delaware County Title, LLC dba Smith Brothers Abstract, LLC, Great Plains Investments, LLC dba Bailey's Abstract & Title (Jackson), University Land Title Services, Inc. (Payne). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. Second by Mr. Koller. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Renewal of Certificate of Authority (With Fee Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority with changes to the fees on their rate sheet by Oklahoma Digital Abstract, LLC dba American Eagle Abstract Rogers County. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. Second by Mr. Koller. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Transfer of Ownership: Presented to the Board for approval was an application for the Transfer of ownership of Albright Abstract and Title Guaranty Company. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the Transfer of Ownership. Second by Mr. Thomas. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Renewal of Permit to Build an Abstract Plant: Presented to the Board for approval was an application for the Renewal of a Permit to Build an Abstract Plant by Arbuckle Closing & Escrow Service, LLC dba Arbuckle Title & Abstract (Carter). Ms. Smith reported that no comments were received during the comment period and the floor was opened for comments.

A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. Second by Ms. Ringo. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

7. **New Business:** Mr. Coffman asked for new business. There was none.
8. **Report Legal Counsel-Marie Schuble:** Ms. Schuble reported that she worked with the Enforcement Committee. She also announced that she would be transitioning to another position and would no longer be working with the Abstractors Board.
9. **Visitor's Comments:** Mr. Coffman asked for any visitor comments. Luke Pollard stood to discuss his concerns about issues related to Carter County. He presented information related to the existing COA holder in the county and made assertions regarding that company. He stated that the OAB staff had been unwilling to step in to help with the situation and were not processing complaints that had been received. He stated that his company intended to apply for an Emergency Temporary Certificate of Authority in spite of the fact that there had been no determination by the Board that there was a need for such applications.

Ms. Schuble interjected that any decisions regarding a Temporary Certificate of Authority would be made by the Board. She also advised him that complaints that had been filed were being addressed by the Enforcement Committee which is required before those complaints go before the Board. She also advised the Board not to engage.

Mr. Pollard tried again to say that the OAB staff was not performing their duties and Ms. Schuble said again that she would not engage in discussion on the matter because all matters were falling within the operational procedures of the Board.

Ms. Yates asked how long it typically takes for complaints to be processed. Ms. Schuble stated that the complaints were discussed at the last Enforcement Committee meeting and

they requested further information so that meant it was on hold until the requested information was gathered.

Mr. Pollard asked how quickly something could happen. Ms. Schuble stated that she could not answer that question. Mr. Pollard said that nothing was getting done and nothing had been done so far. Ms. Smith pointed out that just because he wasn't aware of what was going on didn't mean that nothing had been done. Ms. Schuble thanked him for his comments.

Ryan Swed with Stewart Title spoke regarding Mr. Pollard's assertions because it was part of a lawsuit requiring that show up to comment. Stewart Title along with several of their employees are being sued by Mr. Pollard. Mr. Swed stated that in the first half of the year (May or June), Mr. Pollard made an offer to purchase Stewart Title in Carter county. The offer was declined but Mr. Swed inquired about concerns at that time but did not receive any response. They continued to reach out to Mr. Pollard about concerns but received no response. Stewart experienced staffing changes and an outbreak of COVID-19. He did not deny that there were problems and delayed orders. Stewart had to issue a cease-and-desist order against Mr. Pollard to prevent him from entering their offices related to issues with their staff. Mr. Swed also stated that outside of formal complaints, there had been no communication from consumers or Mr. Pollard asking about their orders.

Jason Soper with Stewart covered information about the actions Stewart had taken regarding delayed orders and where the status of orders was currently.

10. **Announcement of next meeting:** Tuesday, October 19, 2021, at 10:00 a.m., 421 NW 13th Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma.
11. **Adjournment:** Mr. Coffman asked for a motion to adjourn the meeting. Motion was made by Mr. McDowell. Second by Mr. Ward. Motion passed.
Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.